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November 25, 2024

VIA ECF

Honorable Miroslav Lovric
United States District Court
Northern District of New York
15 Henry Street
Binghamton, NY 13901

Re: *Shara v. Binghamton Precast & Supply Corp. et al.*
Civil Action No. 3:23-cv-135

Your Honor:

We represent the plaintiff, Holly Shara, in the above-captioned matter, and submit this letter jointly with counsel for Defendants to provide the Court with a status update in accordance with the Court's Order dated November 1, 2024 (Dkt. No. 43).

In accordance with the aforementioned Order, counsel for the parties met and conferred by telephone on November 6, 2024 to discuss the discovery issues previously raised with the Court, including: (a) the removal of Plaintiff's emails from Defendants' server following the termination of Plaintiff's employment; (b) the production of additional emails from Defendants' sales staff; and (c) the production of additional records, including job folders, requested by Plaintiff.

Counsel for the parties agreed that Defendants would provide additional information regarding Defendants' removal of Plaintiff's emails and a sample of job folders, which can be voluminous, so that the parties could determine whether the scope of Plaintiff's request for documents from Defendants' job folders could be narrowed to limit the burden on Defendants. Counsel also discussed using a list of key terms that Defendants would use to search for relevant emails from other employees who worked in Defendants' sales office during Plaintiff's employment.

On November 25, 2024, Defendants' counsel sent a letter to Plaintiff's counsel describing the circumstances surrounding the removal of Plaintiff's email account following her termination and produced records from three (3) job folders. Plaintiff's counsel also provided Defendants'

counsel with a list of key terms for Defendants to use in their search for relevant emails from Plaintiff's coworkers.

Counsel for the parties will continue to work in good faith to complete document discovery and resolve any remaining issues.

We thank the Court for its consideration and look forward to our virtual appearance before the Court on December 3, 2024 at 10:00 a.m.

Respectfully submitted,

/s/ Adam Sackowitz
Adam Sackowitz

Cc: All counsel of record (via ECF)